

5. Accordingly, through my duties as a Business Support Manager, I have reviewed BAC's business records, and have personal knowledge of the facts stated in this affidavit. If called as a witness, I would and could competently testify thereto.

6. I am aware of the lawsuit pending in this court regarding the loans of Patricia Wright for the property located at 3311 Yupon Street, Unit 611 ("Wright property"), and of Tanya Willis-Pomares for the property located at 3015 Chenevert Street, Unit 14 ("Willis-Pomares property").

7. BAC services both loans on behalf of the respective holders of these loans, which are trustees for two different securitized mortgage loan pools.

8. BAC services the mortgage on the Wright property on behalf of Bank of New York Mellon f/k/a the Bank of New York, as trustee for the certificate-holders CWALT, Inc., Alternative Loan Trust 2006-0C11, mortgage pass-through certificates, series 2006-0C11.

9. BAC services the mortgage on the Willis-Pomares property on behalf of Deutsche Bank National Trust Company as trustee for Morgan Stanley ABS Capital I Inc. Trust 2006-NC5, mortgage pass-through certificates, series 2006-NC5.

10. The respective holders of the Wright and Willis-Pomares loans filed with the United States Securities and Exchange Commission ("SEC") form 8-K reports, which are publicly available documents that can be obtained through the SEC, and are attached to my affidavit as **EXHIBITS 2-B and 2-C**.

11. The pooling and servicing agreements for each mortgage loan pool are listed as exhibits to each 8-K report and were filed with each 8-K report. The Pooling and Servicing Agreement for the CWALT, Inc., Alternative Loan Trust 2006-0C11 is listed as Exhibit 99.1 to the 8-K, and is attached to this affidavit as **EXHIBIT 2-D**. The Pooling and Servicing Agreement

for Morgan Stanley ABS Capital I Inc. Trust 2006-NC5 is listed as Exhibit 99.1 to the 8-K, and is attached to this affidavit as **EXHIBIT 2-E**.

12. In **EXHIBIT 2-D**, Countrywide Home Loans Servicing LP, now known as BAC, is identified or defined as the mortgage servicer on pages 2, 6, 24, and 39.

13. Countrywide Home Loans Servicing LP, now known as BAC, is identified or defined as the mortgage servicer in **EXHIBIT 2-E** on pages 3 and 36.

14. As noted on page 157 of **EXHIBIT 2-D**, and page 121 of **EXHIBIT 2-E**, Countrywide Home Loans Servicing LP, now known as BAC, signed each pooling and servicing agreements as "Servicer."

15. Each pooling and servicing agreement lists a "mortgage loan schedule" among its attachments: in **EXHIBIT 2-D** the mortgage loan schedule is identified on page 7, and appears on page 159; in **EXHIBIT 2-E** the mortgage loan schedule is listed on page 5, and appears on page 298.

16. The mortgage loan schedule lists every mortgage loan that is included within each respective pool.

17. As noted in each exhibit, both of the mortgage loan schedules in **EXHIBITS 2-D and 2-E** were not attached to the publicly filed pooling and servicing agreements, but are instead available upon request to the trustees.

18. As servicer for each mortgage pool, BAC (formerly Countrywide Home Loans Servicing LP), maintains ledgers that contain multiple pieces of information relating to each loan within the pool. The ledger for CWALT, Inc., Alternative Loan Trust 2006-0C11 was created by Countrywide Home Loans, Inc. at or about the time the loans in the pool were securitized. The ledger for the Morgan Stanley ABS Capital I Inc. Trust 2006-NC5 was provided to Countrywide

Home Loans, Inc. at or about the time it obtained the servicing rights to the loans in that pool. Portions of these ledgers are attached as **EXHIBITS 2-F and 2-G**.

19. These ledgers were assembled or received in the ordinary course of BAC's (or Countrywide's) business and are kept and maintained in the regular course of BAC's business by employees who have a duty to ensure the ledgers are accurately and completely maintained in connection with BAC's duties as mortgage servicer under the respective pooling and servicing agreements. These employees acted with personal knowledge of each transaction or event, and made the record of the transaction or event at or near the time of the transaction or event occurred.

20. I have reviewed these ledgers and the Wright and Willis-Pomares loans appear as loans included within the two respective pools.

21. BAC became the servicer of 3,844 loans in the CWALT, Inc., Alternative Loan Trust 2006-0C11 pool. The Wright property and loan are listed on line 2568 of the ledger for the CWALT, Inc., Alternative Loan Trust 2006-0C11 pool. The entry spans columns A through BW. Redacted copies of the ledger entry for the Wright property and loan are attached as **EXHIBIT 2-F**.

22. BAC became the servicer of 6,923 loans in the Morgan Stanley ABS Capital I Inc. Trust 2006-NC5 pool. The Willis-Pomares property and loan are listed on line 3783 of the ledger for Morgan Stanley ABS Capital I Inc. Trust 2006-NC5 pool. The entry spans 71 columns in the ledger. Redacted copies of the ledger entry for the Willis-Pomares property and loan are attached as **EXHIBIT 2-G**.

23. As servicer for the respective holders of these respective interests, BAC obtained and delivered to its counsel in this suit, the original note and collateral documents for both the

Wright and Willis-Pomares loans, as well as those for the third loan at issue in the case, the Wathuber loan and property located at 202 Memorial Drive, Unit 202.

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.

Executed, August 13, 2010 in Thousand Oaks, California.



Jon McKeown